

Rev. 3/19

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

FILED	LODGED
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APR 05 2023	
CLERK U.S. DISTRICT COURT	
WESTERN DISTRICT OF WASHINGTON AT TACOMA	
BY	DEPUTY

Timothy John Reice 2022029015
Plaintiff's full name and prisoner number

Plaintiff,

v.

Pierce County Judicial
System

Case No. 3:23-cv-5288-JCC-SKV
(leave blank – for court staff only)

**PRISONER CIVIL RIGHTS
COMPLAINT**

Defendant's/defendants' full name(s)

Defendant(s).

Jury Demand?

☐ Yes
☐ No

(If you cannot fit all of the defendants' names in the space provided, please write "see attached" in the space above and attach additional sheets of paper, as necessary, with the full list of names. The names listed here must be identical to those in Section II. Do not include addresses here. **Individuals whose names are not included in this section will not be considered defendants in this action.**)

WARNINGS

1. Do not use this form if you are challenging the validity of your criminal conviction or your criminal sentence. If you are challenging your conviction or sentence, or if you are seeking restoration of good-time credits that would shorten your sentence, you must file a Petition for Writ of Habeas Corpus. If you use this form to challenge your conviction or sentence, you risk having your claim dismissed. Separate forms are available for filing a habeas petition.

2. Under the Prison Litigation Reform Act ("PLRA"), you are required to exhaust all remedies in your institution's grievance system that are available to you before filing suit. This generally means that you must file a grievance and, if it is denied, appeal it through all available levels of review. Your case may be dismissed if you fail to exhaust administrative remedies, unless the administrative grievance process was not "available" to you within the meaning of the PLRA. You are not required to plead or show that you have exhausted your claim in this complaint.

3. Please review your complaint carefully before filing. If your case is dismissed, it may affect your ability to file future civil actions while incarcerated without prepaying the full filing fee. Under the PLRA, a prisoner who has had three or more civil actions or appeals dismissed as frivolous, malicious, or for failure to state a claim cannot file a new action without first paying the full filing fee, unless the prisoner is in imminent danger of serious bodily injury.

4. Under Federal Rule of Civil Procedure 5.2, papers filed with the court, including exhibits or attachments to a complaint, may not contain certain information, which must be modified as follows:

Do not include:

- a full social security number
- a full birth date
- the full name of a minor
- a complete financial account number

Instead, use:

- the last four digits
- the birth year
- the minor's initials
- the last four digits

5. You may, but do not need to, send exhibits, affidavits, grievances, witness statements, or any other materials to the Clerk's Office with this complaint. Any documents you submit *must relate directly to the claims you raise in this lawsuit*. They will become part of the court record and will not be returned to you.

I. PLAINTIFF INFORMATION

<p><u>Reice John Reice</u></p> <p>Name (Last, First, MI)</p>	<p></p> <p>Aliases/Formal Names</p>	
<p><u>2022029015</u></p> <p>Prisoner ID #</p>		
<p><u>Pierce County Jail</u></p> <p>Place of Detention</p>		
<p><u>910 Tacoma AVE S</u></p> <p>Institutional Address</p>		
<p><u>Pierce County</u></p> <p>County, City</p>	<p><u>WA</u></p> <p>State</p>	<p><u>98402</u></p> <p>Zip Code</p>

Indicate your status:

- | | |
|--|---|
| <p><input checked="" type="checkbox"/> Pretrial detainee</p> <p><input type="checkbox"/> Civilly committed detainee</p> <p><input type="checkbox"/> Immigration detainee</p> | <p><input type="checkbox"/> Convicted and sentenced state prisoner</p> <p><input type="checkbox"/> Convicted and sentenced federal prisoner</p> |
|--|---|

II. DEFENDANT INFORMATION

Please list the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint. Make sure that the defendant(s) listed below are identical to those contained in the caption on the first page of the complaint. Attach additional sheets of paper as necessary.

Defendant 1:

Peter Reich

Name (Last, First)

Attorney D.A.C.

Current Job Title

949 Market Street

Current Work Address

Tacoma

W.A.

98402

County, City

State

Zip Code

Defendant 2:

Craig S Adams

Name (Last, First)

Judge Commissioner

Current Job Title

930 Tacoma Ave South

Current Work Address

Tacoma

W.A.

98402

County, City

State

Zip Code

Defendant 3:

Bruce Rudolph

Name (Last, First)

Prosecuting Attorney

Current Job Title

930 Tacoma Ave South

Current Work Address

Tacoma

W.A.

98402

County, City

State

Zip Code

III. STATEMENT OF CLAIM(S)

In this section, you must explain what you believe each defendant did to violate your civil rights, and if you know, identify the federal statutory or constitutional right you believe was violated.

If you believe the defendant(s) violated your civil rights in more than one way, explain each violation under a different count. For example, if you believe you received constitutionally inadequate medical care and your religious rights were substantially burdened, include one claim under "Count I" (i.e., medical) and the other claim under "Count II" (i.e., religion).

Number your paragraphs. For example, in Count I, paragraphs should be numbered 1.1, 1.2, 1.3, etc., and in Count II, paragraphs should be numbered 2.1, 2.2, 2.3, etc. The first two paragraphs of each Count have been numbered for you.

If you have more than three counts, attach additional pages and follow the same format for each count.

If you attach documents to support the facts of your claim(s), you must specify which portion of the document(s) (i.e., page and paragraph) you are relying on to support the specific fact(s) of your claim(s). If you do not specify the portion of the supporting document(s), the Court may disregard your document(s).

COUNT I

Identify the first right you believe was violated and by whom:

1.1 14 amendment, Bruce Rudolph, Peter Reich
Craig O Adams.

State the facts of your first claim below. Include all the facts you consider important. Be specific about dates, times, locations, and the names of the people involved. Describe exactly what each specific defendant did or failed to do that caused you injury or violated your rights, and include any other facts that show why you believe what happened was wrong. If you need additional space, you may attach extra sheets.

1.2 No State shall make or enforce any law
which shall abridge the privileges or immunities
of citizens of the United States. Nor shall
any State deprive any person of Life, Liberty,

or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the law.

- 1.3 And because the omnibus hearing, has constitutional safeties and procedural concerns that left uncontested are dimming in trial that can effect to a fair and speedy trial. To not transport defense to omnibus hearing to assert to those Rights and procedural concerns make the Substantive element of Due process unfair in a procedural matter.

Ross V moff 417 US 600 H1044

a State can consistently with the 14 Amendment provide for differences so long as the Result does not amount to denial of due Process or an invidious discrimination.

Invidious- as by discriminating (unfairly)

State with specificity the injury, harm, or damages you believe you suffered as a result of the events you described above in Count I. Continue to number your paragraphs.

- 1.4 Speedy Trial Violations, Violations of Due Process
Ineffective Counsel, Malicious Prosecution.

COUNT II

Identify the second right you believe was violated and by whom:

2.1 Wash CJC 2.6 Ensuring Right to be heard
Craig Sadams, Peter Reich, Bruce Rudolph

State the facts of your second claim below. Include all the facts you consider important. Be specific about dates, times, locations, and the names of the people involved. Describe exactly what each specific defendant did or failed to do that caused you injury or violated your rights, and include any other facts that show why you believe what happened was wrong. If you need additional space, you may attach extra sheets.

2.2 Wash CJC 2.6 Ensuring Right To be heard
(Commentary)

(1) The Right to be heard is an essential component of a fair and impartial system of justice. Substantive Rights of litigants can be protected only if procedures protecting the Right to be heard are observed, and if Defense is not at hearings to contest to continuances or assert to his Rights and if defense is not present to protect Rights the hearing is not fair.

V. Her V Jones 445 US 480

[***36] The essence of procedural due process is a fair hearing.

State with specificity the injury, harm, or damages you believe you suffered as a result of the events you described above in Count II. Continue to number your paragraphs.

1.3 Violation Speedy Trial, Violations Effective Counsel, Violations Due process.

COUNT III

Identify the third right you believe was violated and by whom:

3.1 Ineffective Counsel, Peter Reich

State the facts of your third claim below. Include all the facts you consider important. Be specific about dates, times, locations, and the names of the people involved. Describe exactly what each specific defendant did or failed to do that caused you injury or violated your rights, and include any other facts that show why you believe what happened was wrong. If you need additional space, you may attach extra sheets.

3.2 Stannards 4-1.2 Functions and Duties of Defense Counsel.

(b) The primary duties that defense counsel owe their Clients, to the administration of Justice and as Officers of the Court, are to serve as the Clients

counselor and advocate with courage and devotion. To ensure that constitutional and other legal rights of their clients are protected; and to render effective, high quality legal representation with integrity.

And if Counsel has not consulted with defendant or signed a waiver according to CrP 3.4 presense defined than Counsel is illegally representing defendant and playing a Role in the Violation of Due Process Rights and Violating the Standard and oath he swore to Uphold in accordance with ABA function. And Violating and not protecting Constitutional Rights

State with specificity the injury, harm, or damages you believe you suffered as a result of the events you described above in Count III. Continue to number your paragraphs.

23 Government Ineffective Counsel and Violations of due Process

IV. RELIEF

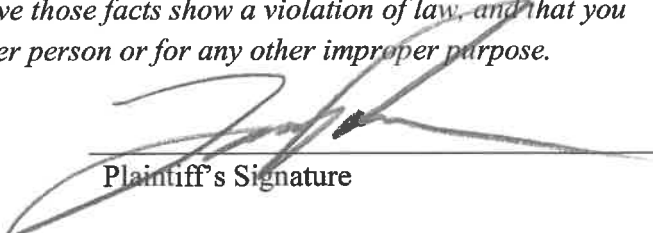
State exactly what you want the Court to do for you. For example, you may be seeking money damages from an individual defendant, you may want the Court to order a defendant to do something or to stop doing something, or you may want both kinds of relief. Make no legal arguments. Cite no cases or statutes.

1.5 million, for the violation of Speedy Trial
Rights Violation of 5th and 14 amendment
and due Process Violations.

V. SIGNATURE

By signing this complaint, you represent to the Court that you believe the facts alleged to be true to the best of your knowledge, that you believe those facts show a violation of law, and that you are not filing this complaint to harass another person or for any other improper purpose.

4-3-23
Dated


Plaintiff's Signature

Inmate Name Timothy Reice
Booking Number 702261905
Pierce County Sheriff's Department
910 Tacoma Ave S
TACOMA WA 98402-2104

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1717 Pacific Ave Room 3100
Tacoma WA 98402